

Gateway Determination

Planning Proposal (Department Ref: PP_2017_NBEAC_003_00): to permit residential dwellings on land at 2 Macpherson Street, Warriewood.

I, the Executive Director, Regions at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Pittwater Local Environmental Plan (LEP) 2014 to permit residential dwellings on land at 2 Macpherson Street, Warriewood should proceed subject to the following conditions:

1. Prior to community consultation, the Planning Proposal is to be updated:
 - (a) to demonstrate consistency with Section 117 Direction 4.3 Flood Prone Land; and
 - (b) to address the flooding concerns raised by Northern Beaches Council in its submission dated 30 March 2017, including proposed cut and fill on the site, implications for on-site flood behaviour, potential flood impacts up and downstream of the site and flood emergency response which caters for flood events up to the Probable Maximum Flood level.

The updated Planning Proposal is to be submitted to the Director, Sydney Region East for review and approval prior to community consultation.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the Planning Proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of Planning Proposals and the specifications for material that must be made publicly available along with Planning Proposals as identified in section 5.5.2 of *A Guide to Preparing Local Environmental Plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
 - Northern Beaches Council;
 - State Emergency Service;
 - Office of Environment and Heritage; and
 - Sydney Water.

Each public authority is to be provided with a copy of the Planning Proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 30th day of June 2017

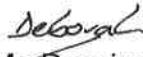

Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission



Ms Deborah Dearing
Chair, Sydney North Planning Panel
c/o Panel Secretariat
GPO Box 39
SYDNEY NSW 2001

PP_2017_NBEAC_003_00 (17/08743)


Dear Ms Dearing

Planning Proposal to amend Pittwater Local Environmental Plan 2014

I am writing in response to the Sydney North Planning Panel's request for a Gateway Determination under section 56 of the *Environmental Planning and Assessment Act 1979* for the Planning Proposal which seeks to permit residential dwellings on land at 2 Macpherson Street, Warriewood.

As delegate of the Greater Sydney Commission, I have determined the Planning Proposal should proceed subject to the conditions in the attached Gateway Determination.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway Determination. The Panel should aim to commence exhibition of the Planning Proposal as soon as possible. The Panel's request for the Department of Planning and Environment to draft and finalise the LEP should be made 8 weeks prior to the projected publication date.

Should you have any queries regarding this matter, I have arranged for Mr Wayne Williamson of the Department's regional office to assist you. Mr Williamson can be contacted on (02) 9274 6585.

Yours sincerely

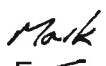
 30 June 2017
Stephen Murray
Executive Director, Regions
Planning Services

Encl:
Gateway Determination



Mr Mark Ferguson
General Manager
Northern Beaches Council
PO Box 1336
DEE WHY NSW 2099

PP_2017_NBEAC_003_00 (17/08743)


Dear Mr ~~Ferguson~~

Planning Proposal to amend Pittwater Local Environmental Plan 2014

I am writing in response to a request by the Sydney North Planning Panel (the Panel) for a Gateway Determination under section 56 of the *Environmental Planning and Assessment Act 1979* for the Planning Proposal which seeks to permit residential dwellings on land at 2 Macpherson Street, Warriewood.

As delegate of the Greater Sydney Commission, I have determined the Planning Proposal should proceed subject to the conditions in the attached Gateway Determination.

I understand Council's concern that the proposal has not provided adequate information to demonstrate that the site is capable of accommodating dwellings, primarily due to potential flooding issues. I have included a condition in the Gateway determination that requires the proposal to be updated prior to community consultation to address flooding issues including the matters raised in Council's submission dated 30 March 2017.

Consultation with relevant state agencies and the community, as required under the Gateway Determination, will also confirm any additional matters that need to be addressed through the plan making process.

Should you have any queries regarding this matter, I have arranged for Mr Wayne Williamson of the Department's regional office to assist you. Mr Williamson can be contacted on (02) 9274 6585.

Yours sincerely


Stephen Murray
Executive Director, Regions
Planning Services

30 June 2017

Encl:
Gateway Determination



Mr Walter Gordon
Head of Planning and Development
Karimbla Construction Services
Level 11, 528 Kent Street
SYDNEY NSW 2000

PP_2017_NBEAC_003_00 (17/08743)


Dear Mr ~~Gordon~~

Planning Proposal to amend Pittwater Local Environmental Plan 2014

I am writing in response to a request by the Sydney North Planning Panel (the Panel) for a Gateway Determination under section 56 of the *Environmental Planning and Assessment Act 1979* for the Planning Proposal which seeks to permit residential dwellings on land at 2 Macpherson Street, Warriewood.

As delegate of the Greater Sydney Commission, I have determined the Planning Proposal should proceed subject to the conditions in the attached Gateway Determination. A copy of the Gateway Determination and supporting letter to the Panel is attached for your reference.

As outlined under the Gateway determination, I have included conditions that require the proposal be updated to demonstrate consistency with Section 117 Direction 4.3 Flood Prone Land and include details regarding the proposed cut and fill on the site and implications for on-site flood behaviour, potential flood impacts up and downstream of the site, and a flood emergency response strategy catering for flood events up to the Probable Maximum Flood, prior to public exhibition. The updated Planning Proposal is to be submitted to the Director, Sydney Region East for review and approval prior to community consultation.

Consultation with relevant state agencies and the community, as required under the Gateway Determination, will also confirm any additional matters that need to be addressed through the plan making process.

Should you have any queries regarding this matter, I have arranged for Mr Wayne Williamson of the Department's regional office to assist you. Mr Williamson can be contacted on (02) 9274 6585.

Yours sincerely


Stephen Murray
Executive Director, Regions
Planning Services

30 June 2017

Encl: Gateway Determination & Supporting Letter to the Panel